IN THE HIGH COURT OF JUDICATURE AT BOMBAY

ORDINARY ORIGINAL CIVIL JURISDICTION

NOTICE OF MOTION NO.1128 OF 2003

In

SUIT NO.543 OF 2000

Smt.Prafullata Rajan Varhadi : Plaintiff

V/s.

Smt.Pushpalata Chandrakant Chury,
since deceased through her legal heirs
and representatives Defendant no.3 and
1(a) Shri Rahul Chandralkant Churi
& Ors. : Defendants

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Mr.Uday Warunjikar for the plaintiff.

Kranti Hiwrale i/b. P.G. Lad for defendant nos.1(a), 2 & 3.

Mr.Ajay Malvankar, representative of Court Receiver (present).

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CORAM : S.J.VAZIFDAR, J.

December 8, 2005.

P.C.

1. Pursuant to the order dated 9.4.2003, the Court Receiver has fixed the compensation/damages to be

recovered from 110 occupants of the suit property. Mr.Warunjikar, learned counsel for the plaintiff, states that the compensation has been wrongly fixed by the Court Receiver. In that event, it is for the plaintiff to adopt appropriate proceedings to challenge the same.

2. Mr.Malvankar, representative of the Court Receiver, states that in accordance with the said order, 110 occupants were given an opportunity of being heard.

3. The Notice of Motion only seeks an order directing the Court Receiver to decide the amount of compensation to be recovered. Liberty to take appropriate steps in respect of the reliefs claimed in prayer clause (a).

4. The Notice of Motion is, accordingly, disposed of.

S.J. VAZIFDAR, J.